



To: Dairy Task Force
From: Tom Salzer, Dairy Coordinator
Date: November 21, 2000
Re: Informal report on "Animal Residuals" conference

At the request of Steve Meyer (Executive Director, Conservation Commission), I recently attended a conference on animal residuals in Kansas City, Missouri, sponsored by the Water Environment Federation.

At that conference, I presented an overview of the Dairy Nutrient Management Act and how it was working in Washington State. I also listened to similar presentations from several other states, including two with mandatory nutrient management planning programs: Maryland and Delaware.

Summarized below are a few key points from the Maryland and Delaware programs. These points coincide with issues currently or previously before the Dairy Nutrient Management Task Force.

Must have nutrient management plan?

Maryland and Delaware both require nutrient management plans. In Maryland, plans are required for farm operations with eight or more animal units, or where nutrients are applied to more than ten acres of agricultural land.

Delaware has similar requirements but does not differentiate between agricultural land or other land, so golf courses and commercial lawn care companies also fall under Delaware's nutrient management program.

Washington State requires all licensed dairies to obtain dairy nutrient management plans.

Who writes plans?

Maryland's Department of Agriculture certifies nutrient management consultants, and requires all nutrient management plans to be written by a certified nutrient management consultant. Nutrient management consulting services are provided primarily through county Cooperative Extension Service offices.

Delaware has a tiered program of progressive certification, from "nutrient generator" at the lowest level, to "nutrient consultant" at the highest. Intermediate levels are "private

nutrient handler" and "commercial nutrient handler." Various combinations of fees and continuing education credits are required to retain certification. The primary service delivery mechanism for writing plans is through conservation districts. Cost-sharing is available for producers who wish to obtain plans from private consultants instead of conservation districts.

In Washington State, local conservation districts and USDA Natural Resources Conservation Service staff develop dairy nutrient management plans. However, dairy producers may write their own plans or obtain this service from other entities including the Cooperative Extension Service and consultants.

What standards are used for planning?

Maryland has adopted performance and technical standards for nutrient management plans. The Maryland Nutrient Management Manual is available online at <http://www.mda.state.md.us/nutrient/contents.html>.

Delaware's law lists several requirements regarding the content of nutrient management plans but does not explicitly state whether other standards are applicable.

In Washington, the Conservation Commission adopted NRCS practice standards and specifications for dairy nutrient management plans.

Plan updates

Maryland requires plans to be updated every three years, or whenever significant changes to the farming operation are made.

Delaware law does not appear to address this issue.

In Washington, the Dairy Technical Advisory Committee recommended all plans include language stating the parameters that, if exceeded, would require an updated plan.

Transfer programs

Maryland has a "poultry litter transport pilot" underway in which the producer receives cost-share of up to \$20/ton of litter moved out of the most susceptible region. Maryland also provides a manure matching service to link those who have excess nutrients to those who need additional nutrients.

Delaware also has a "nutrient management relocation program" in place which operates as a cost-sharing program. Nutrients moved from one farm to another farm, or from a farm to an alternative use project, receive up to \$20/ton. Nutrients moved from an alternative use project to somewhere outside the watershed receive up to \$10/ton. "Alternative use" means any methodology using manure as a component rather than direct, unprocessed land application.

Washington State has no nutrient transfer program although some districts do help match manure generators with manure users.

Deadlines

Maryland follows a phased schedule for nutrient management plans depending on whether nitrogen or phosphorus is the limiting nutrient. Nitrogen-based plans must be developed by December 31, 2001 and implemented by December 31, 2002. Plans balanced for nitrogen and phosphorus must be developed by July 1, 2004 and implemented by July 1, 2005.

In Delaware, one-fifth of all plans must be developed and implemented each year between January 1, 2003 and December 31, 2007.

Washington's requirement is development and approval of all dairy nutrient management plans by July 1, 2002 and certification of implementation by December 31, 2003.

Plan Privacy

Maryland requires producers to submit their plans directly to the Maryland Department of Agriculture. Their law protects producer information: "The Department shall keep, and shall protect the confidentiality of, all nutrient management plan information submitted, so as to protect the identity of the person for whom the plan was developed."

Delaware does not require submission of plans but does require notification of completion.

Washington's Attorney General has said farm plans held by conservation districts are public documents.

For more information

Delaware: http://www.state.de.us/deptagri/About_Us/nutrient.htm

Maryland: <http://www.mda.state.md.us/geninfo/gen5.htm>

Washington: <http://www.conserver.org/DTF/>

cc: Steve Meyer, Executive Director